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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,013	12/14/2000	Herbert D. Jellinek	FUSN1-01304US0	1471

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EXAMINER
POLLACK, MELVIN H

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 10/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/738,013	JELLINEK, HERBERT D.
	Examiner	Art Unit
	Melvin H. Pollack	2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 August 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6 and 10-46* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6 and 10-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☒ Other: *see attached office action*.

DETAILED ACTION

Response to Amendment

1.   Applicant's request for reconsideration of the finality of the rejection of the last Office

action is persuasive and, therefore, the finality of that action is withdrawn.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-6 and 10-46 have been considered but are

moot in view of the new ground(s) of rejection.   .

3.   The 112 rejection is withdrawn in light of the remarks given by the applicant.

4.   A discussion of Mantha is required, in regards to some confusion that the applicant may

have. In Mantha, there are two processes: the caching and saving of a web page, and the ability

to browse the page at certain intervals (col. 1, lines 60-65). In applying the art, the examiner is

relying primarily upon the process of web page caching, wherein a proxy and cache system (Fig.

3, #225 and #227; col. 8, lines 1-15) receives a request from the client (Fig. 3, #223) to a server

(Fig. 1, #22), retrieves the document (col. 4, lines 10-30), and then performs a cache and saving

process wherein the links are modified to include server identifying information (col. 10, line 60

– col. 11, line 40). In the primary example, wherein the URL is "/ceramics," the URL is

modified to "www.artscape.com/ceramics." The original URL cannot be resolved except on the

"www.artscape.com" network, but the newly modified link can be, and "artscape.com" is an

identifier of the information server. After the saving process, the updated page is provided to the

browser both after the save method (Fig. 4, #38) and at a later browsing period after the caching

process (Fig. 6).

5.   Some confusion may regard the meaning of the term "non-resolvable hyperlinks," of

which the applicant may have a more narrow interpretation. The examiner treats the term as

broadly as reasonable, in that any hyperlink that is not resolvable for any reason. If the applicant

has a more specific interpretation, he is advised to amend the claims accordingly.

6.   In response to applicant's argument that the references fail to show certain features of

applicant's invention, it is noted that the features upon which applicant relies (i.e., events

regarding subsequent browsing and requesting of said page after initial delivery) are not recited

in the rejected claim(s). Although the claims are interpreted in light of the specification,

limitations from the specification are not read into the claims. See *In re Van Geuns*, 988

F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). More specifically, there is no limitation regarding

the non-storage of pages or resolved URLs within a client or proxy storage (P. 12, lines 10-12

and 28-29). If the applicant wishes to gain these limitations, an amendment to the claims is

required.

7.   Regarding the issue of structure that applicant raises (P. 13, lines 4-6), Mantha teaches a

content server, proxy server, and client, as shown above. In this case, the examiner uses

software separation as an indicator for server boundaries, such that a proxy may be on the server

or the client, Mantha being the latter case. The examiner concedes, however, that Mantha does

not expressly disclose the structure of "a (proxy) server on a local network... a destination client

that is not on the local network, [and] electronic content (server) that is associated with the local

network," said structure claimed in claim 1 but not in claim 2. Therefore, the original 102

rejection is withdrawn.

8.   In re Dulberg, 289 F.2d 522, 523, 129 USPQ 348, 349 (CCPA 1961) (The claimed

structure, a lipstick holder with a removable cap, was fully met by the prior art except that in the

prior art the cap is "press fitted" and therefore not manually removable. The court held that "if it

were considered desirable for any reason to obtain access to the end of [the prior art's] holder to

which the cap is applied, it would be obvious to make the cap removable for that purpose."). In

other words, the separation of parts is considered obvious (See MPEP 2144.04).

9.   The examiner has therefore withdrawn the 102 rejection in favor of a 103 rejection

wherein the proper structure and motivation for such structure is taught.

10.   As for claim 46, applicant argues that Mantha does not expressly disclose "resolving a

URL within a resolved URL (P. 14, line 18)." Further clarification of Mantha is necessary.

Mantha teaches that the process may be used on any page, and therefore may be used on a page

linked to a first saved page. For an example, we will use the page

"www.artscape.com/ceramics" as shown above. For the sake of argument, assume that the page

has four links: "/functional," "/decorative," "architectural," and "/sculpture." (From the mouse-

over description in Fig. 14). If the user clicks on the previously saved "artscape.com/ceramics,"

as performed above, the second electronic content (the ceramics page) will be retrieved in the

same manner as the primary content (the Artscape home page) (col. 11, lines 55-65). That is, the

same process will be performed: the system will determine if "/sculpture" can be resolved, and

then modify this second link to become "www.artscape.com/ceramics/sculpture." Thus, Mantha

clearly teaches this process.

11.   For the reasons above, this rejection is non-final.

Claim Rejections - 35 USC § 103

12.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

13.   Claims 1-6, 10-20, 22-33, 35-42, and 44-46 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Mantha et al. (6,163,779) in view of Chaudhri et al. (US 2002/0116444).

14.   For claim 1, Mantha teaches a method (see abstract) for processing requests for delivery

of electronic content (col. 1, line 1 – col. 3, line 5), comprising the computer-implemented steps

(col. 4, lines 10-30; col. 12, lines 55-65) of:

a.   Receiving at a server (Fig. 3, #225 and #227), a request for delivery (Fig. 4, #30)

to a destination client (Fig. 3, #220 and #223) that is not on the local network (Fig. 1,

#14), of electronic content (Fig. 1, #22) that is associated with the local network (col. 4,

lines 10-30), wherein the electronic content includes one or more links that are only

resolvable within said local network (Fig. 14, #115; "A HREF="ceramics.html");

b.   Retrieving the electronic content (col. 8, lines 1-30);

c.   Generating updated content by modifying the one ore more links associated with

the electronic content to include information identifying said server (col. 11, lines 55-65;

Fig 4, #117; "A HREF = "http://www.artscape.com/ceramics.html"); and

d.   Delivering said updated content to said destination client (Fig. 4, #38; Fig. 6,

#50).

15.   Mantha does not expressly disclose receiving a server on a local network, a request for

delivery to a destination client that is not on the local network, of electronic content that is

associated with the local network, and retrieving the electronic content from within the local

network. An analysis of the structure and components of Mantha, and the separation thereof, has

been shown above. Chaudhri teaches a method (abstract) of saving content files, and delivering

them (Paras. 1-28). Specifically, Chaudhri teaches URL modification (Paras. 51, 70-96) within a

proxy (Fig. 3, #5) that delivers content from a server (Fig. 3, #40) to a client (Fig. 3, #50; Para.

113) wherein the client is on a different network from the server (Figs. 3, 5, and 6). At the time

the invention was made, one of ordinary skill in the art would have used the Chaudhri structure

in Mantha in order to provide improved content distribution and publisher rules handling (Paras.

9-10).

16.   For claims 2, 22, 35, Mantha teaches a method (see abstract) for providing information

from a network (col. 1, line 1 – col. 3, line 5) including a network device (Fig. 1), said method

comprising the steps of:

      a.   Receiving a request for a first electronic content (Fig. 1, #225);

      b.   Retrieving said first electronic content from said network (col. 8, lines 1-30);

      c.   Identifying a link within said first electronic content (Fig. 4, #117);

      d.   Wrapping said link to obtain a wrapped version of said link (Fig. 12, #92); and

      e.   Delivering a modified version of said first electronic content, wherein said

      modified version of said first electronic content includes said wrapped version of said

      link (col. 10, lines 60-65).

17.   Mantha does not expressly disclose receiving a server on a local network, a request for

delivery to a destination client that is not on the local network, of electronic content that is

associated with the local network, and retrieving the electronic content from within the local

network. An analysis of the structure and components of Mantha, and the separation thereof, has

been shown above. Chaudhri teaches a method (abstract) of saving content files, and delivering

them (Paras. 1-28). Specifically, Chaudhri teaches URL modification (Paras. 51, 70-96) within a

proxy (Fig. 3, #5) that delivers content from a server (Fig. 3, #40) to a client (Fig. 3, #50; Para.

113) wherein the client is on a different network from the server (Figs. 3, 5, and 6). At the time

the invention was made, one of ordinary skill in the art would have used the Chaudhri structure

in Mantha in order to provide improved content distribution and publisher rules handling (Paras.

9-10).

18.   For claims 3, 23, Mantha teaches that the first electronic content is an electronic

document (Fig. 9, #61; Fig. 14, #115) and said modified version of said first electronic content is

a modified version of said electronic document (Fig. 9, #70; Fig. 14, #117).

19.   For claims 4, 24, Mantha teaches that said link is a URL and said modified version of

said link is a modified version of said URL (col. 1, lines 20-40).

20.   For claims 5, 25, Mantha teaches that said link includes an external address portion

identifying said network device (Fig. 15, "www.artscape.com"), and an internal address portion

identifying a second electronic content within said network (Fig. 15, "/ceramics.html").

21.   For claims 6, 26, 36, Mantha teaches that said external address portion can be resolved

outside said network, and said internal address portion cannot be resolved outside said network

and can be resolved in said network (col. 12, lines 8-35).

22.   For claims 10, 12, 28, 38, Mantha teaches that wrapping includes inserting a reference to

said network device in said modified link (Fig. 14, #117).

23.   For claims 11, 13, 29, Mantha teaches that said link does not include a reference to said

network device (Fig. 14, #115).

24.   For claims 14, 30, 39, Mantha teaches that said link includes an address for a third

electronic content in said network and said modified version of said link includes an address for

said third electronic content in said network (Fig. 14; "<A HREF>" tags).

25.   For claims 15, 31, 40, Mantha teaches that the method includes identifying additional

links within said first electronic content; and wrapping said additional links to obtain wrapped

versions of said additional links (Fig. 12, #85).

26.   For claim 16, Mantha teaches determining said additional links cannot be resolved

outside of said network (Fig. 12).

27.   For claims 17, 32, 41, Mantha teaches that said modified version of said first electronic

content contains said wrapped versions of said additional links (Fig. 16).

28.   For claim 18, Mantha teaches that said request originates outside of said network (col. 4,

lines 10-30).

29.   For claim 19, Mantha teaches that said request originates inside of said network (col. 4,

lines 10-30).

30.   For claims 20, 33, 42, Mantha teaches that verifying that said address is fully qualified

(col. 11, lines 50-65).

31.   For claims 27, 37, Mantha teaches determining said link cannot be resolved outside of

said network, wherein wrapping is only performed if it is determined that link should be wrapped

(Figs. 11 and 12).

32.   For claims 44 and 45, Mantha teaches the added limitation of determining whether a link

should be resolved (Fig. 12, #87-89).

33.   For claim 46, Mantha teaches the added limitation of multiple links (Fig. 12, #87) over

multiple pages (Fig. 13, #93).

34.   Claims 21, 34, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Mantha as applied to claims 2, 22, and 35 above, and further in view of Rodkin et al.

(6,581,065).

35.   For claims 21, 34, 43, Mantha does not expressly disclose inserting a second link into

said modified version of said first electronic content, wherein said second link addresses a fourth

electronic content not addressed by any link in said first electronic content. Rodkin teaches a

method (see abstract) for modifying text files in a client server network (col. 1, lines 10-22) in

which hyperlinks are added to the electronic document based on text data strings (col. 3, line 65

– col. 4, line 30). At the time the invention was made, one of ordinary skill in the art would have

used the Rodkin hyperlink method to modify electronic content in order to simplify link updating

(col. 3, lines 15-60).

Conclusion

36.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. They regard further teachings on address translation and proxy servers.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Melvin H. Pollack whose telephone number is (571) 272-3887.

The examiner can normally be reached on 8:00-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal D. Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MHP
11 October 2005

JASON CARPONE
SPE AU2145